

## REMARKS

The present amendment and request for reconsideration is filed in response to the final Office Action mailed October 12, 2005. Claims 1-3, 4, 7, 9, 12, 21, and 27 are pending in the application.

In the Office Action, the drawings were objected to. In response, applicant is enclosing a set of formal drawings. It is requested that the Examiner approve the drawings and withdraw the rejection.

In the Office Action, Claims 1, 3, 7-9, 14-22, and 24-25 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Publication No. 2002/0133077 to Edwardsen et al. Applicant respectfully traverses the rejection.

Nothing in the Edwardsen et al. reference teaches or suggests an operator control device that includes at least one or more of the following features: a rotatable coupler for rotatably engaging the operator control device to the fixed feature of an endoscope shaft but preventing movement along the length of the endoscope shaft, a trigger component for switching the operator control device between an engaged mode and a disengaged mode, and an anti-rotating component for preventing the operator device from rotating with respect to the endoscope shaft when the operator control device is in the engaged mode, the operator control device being allowed to rotate with respect to the endoscope shaft when the operator control device is in the disengaged mode, and wherein said operator control device can be detached from the endoscope shaft.

The Edwardsen et al. patent publication discloses a transesophageal ultrasound probe that includes an imaging element at the distal end of a rotating shaft. By rotating the control wheel 226, the control handle may remain in one orientation, and the shaft is rotated in an axis common to both the shaft and control handle 210. See paragraph 30. However, nothing in the

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Edwardsen et al. reference suggests that the handle 210 can be removed from the shaft. Instead, the handle appears to be an integral part of the endoscope. Therefore, the anticipation rejection of Claims 1-3, 7, and 9 is improper and should be withdrawn. Claims 14-22 and 24-25 have been canceled, rendering the rejection moot.

Claims 2, 4, 23, and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0133077 to Edwardsen et al. in view of U.S. Patent No. 6,830,545 to Bendall. Claims 23 and 26 have been canceled rendering the rejection moot. With respect to Claim 2, applicant respectfully traverses the rejection.

Applicant respectfully submits that the Examiner has not pointed to any teaching or suggestion within the references that would suggest the claimed combination of features as recited in Claim 1. Absent such teaching or suggestion within the references themselves, it is submitted that the obviousness rejection is in error. As was pointed out in the previous amendment, one of the stated benefits of the device described in the Bendall patent is that the handle is positionable along the length of the endoscope. See Col. 2, lines 60-61. Nothing in the Bendall reference suggests an operator control that can or should be rotationally coupled to a fixed feature on an endoscope to allow rotational motion but not movement along the length of the endoscope. Similarly, nothing in the Edwardsen et al. reference suggests that an operator control can or should be removable from the endoscope shaft. Therefore, it is submitted that the rejection of Claim 2 (now incorporated into Claim 1) is in error.

With respect to Claim 4, it is submitted that nothing in the cited references teaches or suggests remotely controlling the trigger mechanism for switching between the engaged or disengaged mode. Although the Bendall patent describes wireless communication, there is no teaching or suggestion that such communication should activate the trigger to switch between an engaged mode and a disengaged mode. Therefore, the rejection of Claim 4 is improper.

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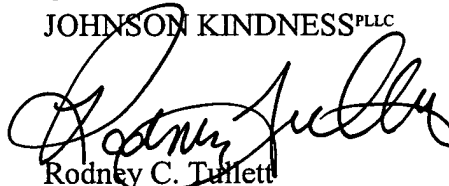
Applicant has amended the specification to further describe the embodiment of the invention shown in FIGURE 2. No new matter is added by the amendments.

New Claim 27 recites an operator control device including a rotatable coupler that rotatably couples the operator control to a fixed feature on the endoscope shaft such that the operator control can be selectively rotated about the endoscope shaft but is prevented from moving along the length of the endoscope shaft, a shaft collar in line with the rotatable coupler such that the endoscope shaft can be passed through the rotatable coupler and the shaft collar, a U-shaped handle extending between the rotatable coupler and the shaft collar, an endoscope control mounted on the U-shaped handle, and a trigger positioned between the U-shaped handle and the endoscope shaft for engaging and disengaging the operator control from the endoscope shaft. Applicant respectfully submits that nothing in the cited references teaches or suggests an operator control with this combination of features. Therefore, Claim 27 is allowable.

Applicant is submitting these amendments to further clarify the subject matter regarded as the invention and to address the new grounds of rejection cited by the Examiner. In light of the above, it is submitted that all claims are in condition for allowance. It is therefore requested that the Examiner withdraw the rejections and pass this case to issue at the earliest possible date.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date:

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RCT:pt

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AMENDMENTS TO DRAWINGS

Replacement drawings have been prepared to satisfy the requirements of the Examiner's  
Action.

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